

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT WINCHESTER

UNITED STATES OF AMERICA )  
 ) Case No. 4:20-cr-4  
v. )  
 ) Judge Travis R. McDonough  
JOSEPH SANTOS PENA )  
 ) Magistrate Judge Christopher H. Steger  
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**ORDER**

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U.S. Magistrate Judge Christopher H. Steger filed a report and recommendation (Doc. 147) recommending that the Court: (1) grant Defendant's motion to withdraw his not guilty plea to Count One of the four-count Indictment; (2) accept Defendant's guilty plea to Count One of the four-count Indictment; (3) adjudicate Defendant guilty of conspiracy to distribute 500 grams or more of a mixture and substance containing methamphetamine in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A) and 846; and (4) order that Defendant remain in custody pending sentencing or further order of this Court.

After reviewing the record, the Court agrees with Magistrate Judge Steger's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Doc. 147) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw his not guilty plea to Count One of the four count Indictment is **GRANTED**;
2. Defendant's plea of guilty to Count One of the four count Indictment is **ACCEPTED**;

3. Defendant is hereby **ADJUDGED** guilty of conspiracy to distribute 500 grams or more of a mixture and substance containing methamphetamine in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A) and 846; and
4. Defendant **SHALL REMAIN** in custody until further order of this Court or sentencing in this matter which is scheduled to take place before the undersigned on **March 19, 2021, at 9:00 a.m.**

**SO ORDERED.**

/s/Travis R. McDonough

**TRAVIS R. MCDONOUGH**  
**UNITED STATES DISTRICT JUDGE**